

WRITTEN DECISION
OF THE INTERNATIONAL
RESEARCH AUTHORITY (SUPPLEMENT)

International file reference

PCT/DE2005/000962

1AP20Res'd DECISION 01 FEB 2006

Re item V

Reasoned finding according to Rule 43bis.1(a) (i) with regard to the novelty, the inventive activity and the commercial applicability; documents and explanations for supporting this finding

1. Reference is made to the following documents:

D1: WO 2004/036890 A (NOKIA CORPORATION; LIALIAMOU, ELENA; STURA, MARCO; KOSKINEN, JUHA-PEKK) 29 April 2004 (2004-04-29)

D2: VAN LE M ET AL: "A service component-based accounting and charging architecture to support interim mechanisms across multiple domains" NETWORK OPERATIONS AND MANAGEMENT SYMPOSIUM, 2004. NOMS 2004. IEEE/IFIP SEOUL, KOREA APRIL 19-23, 2004, PISCATAWAY, NJ, USA, IEEE, Vol. 1, 19 April 2004 (2004-04-19), pages 555-568, XP010712703 ISBN: 0-7803-8230-7

2. Document D1, which is considered to be the closest state of the art, discloses a method and a system for charging for data which are accrued in a network element of a communication network during a data session which can consist of a number of data streams. In this process, a policy function which specifies the exact charging rules per data stream is empowered in the network element which thus represents a charge metering point.

- 2.1 The subject matter of claim 1 differs from this known arrangement for generating service-oriented call-charge data in that the same policy function, which has only been mentioned vaguely as "charging system of the communication

network" in D1, also controls the charging points of the system.

2.2. The object to be achieved by means of the present invention thus consists in how a central and, at the same time, dynamic control of charging processes can be provided for when a service is utilized in a communication network.

2.3 Document D2 also does not disclose that, for this purpose, a policy function is applied both to the charge metering and to the charging points.

2.4 The documents quoted thus do not suggest to the expert the subject matter of claim 1, either individually or jointly.

In consequence, it is possible to recognize an inventive activity in the subject matter of the independent claim 1 and in the further details or statements in accordance with the additional features of its **dependent claims 2 to 8**.

What has been said above, analogously applies to the policy function according to the **independent claim 9**, which also contains the feature contributing to the state of the art, namely that it is applied both to the charge metering points and to the charging points.

2.5 The present application thus meets the requirements of PCT Articles 33(1)-(4).

Re item VIII

Certain comments regarding the international application

1. Some of the features in the **device claims 1-5 and 7-9** relate to a method for using the device (e.g. "controls", "distributes") and not to the definition of the device by means of its structural features. In contradiction to the requirements of PCT Article 6 with regard to the category (PCT/GL/SPE/1 5.20, 5.31), therefore, the intended restrictions are not clearly apparent from the claims.

In this regard, it is pointed out that an arrangement claim must be directed to subject matters; in this connection, functional features which are used for defining subject matters (e.g. in the form of "device for ..." or "device constructed in such a manner that ..." activities or functions are executed) are to be interpreted as features of a device.